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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 DENNIS THOMAS,

12 Plaintiff,

13 v.

14 HERNANDEZ, et al.,

15 Defendants.
16

No. 2:21-CV-1638-DJC-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to
18 42 U.S.C. § 1983. Pending before the Court is Plaintiff's motion to disqualify defense counsel.
19 See ECF No. 50. Defendants have filed an opposition. See ECF No. 52.

20 In his motion, Plaintiff argues that the California Attorney General's Office, which
21 represents Defendants in this matter, must be disqualified due to a conflict of interest. See ECF
22 No. 50. According to Plaintiff, a conflict exists because the California Attorney General "has
23 prosecutorial powers over the California Department of Corrections and Rehabilitation and all of
24 its employees" and "cannot represent any such defendants in a civil matter." Id. at 1. The Court
25 agrees with Defendants that Plaintiff's motion should be denied because: (1) Plaintiff has not
26 provided any evidence of an actual conflict; and (2) Plaintiff has not cited to any authority which
27 bars the California Attorney General's Office representing employees of the California
28 Department of Corrections and Rehabilitation in civil actions in federal court.

1 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion to disqualify
2 defense counsel, ECF No. 50, is DENIED.

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4 Dated: July 2, 2025

A handwritten signature in dark ink, appearing to read 'Dennis M. Cota', written over a horizontal line.

DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE